

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re Terrorist Attacks on September 11, 2001

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) 03 MDL 1570 (GBD)  
) ECF Case  
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This document relates to:

*O'Neill v. Al Baraka Investment & Devel. Corp.*, 04-cv-01923

**DUBAI ISLAMIC BANK'S ANSWER TO PLAINTIFFS'  
SECOND AMENDED CLASS ACTION COMPLAINT, VICTIMS' LIST, AND MORE  
DEFINITE STATEMENT AS TO DUBAI ISLAMIC BANK<sup>1</sup>**

1. DIB admits only that on September 11, 2001, passenger jet airliners crashed into the World Trade Center Towers in New York, the Pentagon in Arlington County, Virginia, and a field near Shanksville, Pennsylvania. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
2. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
3. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
4. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
5. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

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<sup>1</sup> Note that each numbered paragraph in this answer corresponds with and responds to the paragraph in the *O'Neill v. Al Baraka Investment & Devel. Corp.* Complaint bearing the same number.



6. DIB admits only that on September 11, 2001, a jet airliner crashed into the North Tower (Tower One) of the World Trade Center in New York. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
7. DIB admits only that on September 11, 2001, a jet airliner crashed into the South Tower (Tower Two) of the World Trade Center in New York. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
8. DIB admits only that on September 11, 2001, a jet airliner crashed into the Pentagon in Arlington, Virginia. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
9. DIB admits only that on September 11, 2001, a jet airliner crashed near Shanksville, Pennsylvania. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
10. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
11. DIB admits that Plaintiffs purport to move for judgment against Defendants, jointly and severally and to set out allegations in support of their complaint.

#### **JURISDICTION AND VENUE**

12. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
13. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.

#### **PLAINTIFFS**

##### ***THE CLASS***

14. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
15. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
16. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.



17. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

***ORIGINAL PLAINTIFFS***

18. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
19. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
20. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
21. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
22. DIB admits that it is a bank and financial organization. To the extent that the remaining allegations relate to DIB, DIB denies those allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
23. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

**DEFENDANTS**

24. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
25. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
26. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



27. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

### **COMMON FACTUAL ALLEGATIONS**

#### ***Al Baraka Investment and Development Corporation and Dallah Albaraka Group***

28. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
29. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
30. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
31. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

#### ***National Commercial Bank***

32. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
33. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
34. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



35. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Faisal Islamic Bank - Sudan***

36. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
37. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Al-Rajhi Banking and Investment Corporation***

38. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
39. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
40. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Al Barakaat Exchange LLC***

41. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Defendant Dar al Maal al Islami***

42. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations,



and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

43. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
44. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
45. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Al Shamal Islamic Bank***

46. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
47. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
48. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
49. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
50. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



***Tadamon Islamic Bank***

51. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
52. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
53. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Dubai Islamic Bank***

54. DIB admits that it is headquartered in the United Arab Emirates. DIB denies that it is a shareholder of Baraka Islamic Bank EC. DIB denies that it a shareholder of Tadamon Islamic Bank in Sudan. DIB is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations, and therefore those allegations are denied.
55. DIB denies these allegations.
56. DIB denies these allegations.

***Bank al-Taqwa Limited***

57. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
58. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
59. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



60. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
61. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
62. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Arab Bank, PLC***

63. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
64. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Saudi American Bank***

65. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
66. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
67. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



***Triple-B Trading Gmbh of Rethwisch***

68. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
69. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
70. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
71. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
72. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Tatex Trading Gmbh***

73. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
74. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
75. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



*Youssef M. Nada & Co. and other Financial Organizations and Financiers*

76. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
77. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
78. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
79. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
80. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
81. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
82. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
83. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
84. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations,



and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

85. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***COUNCIL ON AMERICAN ISLAMIC RELATIONS (CAIR) and CAIR CANADA***

86. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
87. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
88. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***International Islamic Relief Organization and Success Foundation***

89. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
90. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
91. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
92. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations,



and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

93. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
94. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
95. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Muslim World League***

96. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
97. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
98. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
99. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***SAAR Foundation***

100. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations,



and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

101. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
102. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
103. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
104. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Rabita Trust***

105. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
106. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
107. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
108. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



*Al-Haramain Islamic Foundation, Inc.*

109. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
110. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
111. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
112. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
113. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
114. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
115. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
116. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



***Benevolence International Foundation***

117. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
118. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
119. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
120. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
121. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
122. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***World Assembly of Muslim Youth***

123. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
124. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.



125. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.

***Muwaffaq Foundation***

126. These allegations appear to relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied. To the extent that these allegations relate to DIB, DIB denies these allegations.
127. DIB admits that Plaintiffs purport to attach various More Definite Statements/Additional Allegations/RICO Statements. Exhibit J purports to be related to Defendant Dubai Islamic Bank. DIB individually addresses these allegations below. To the extent the exhibits relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.<sup>2</sup>

**CLASS ACTION ALLEGATIONS**

128. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
129. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
130. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
131. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.
132. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

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<sup>2</sup> Plaintiffs have stated that the additional allegations against DIB can be found in the RICO Statement attached to the Complaint. Because the RICO claim was dismissed against DIB, no response to the allegations in the RICO Statement is required. Moreover, neither the Complaint nor the RICO Statement complies with Paragraph 13 of the Court's Case Management Order #2 (the "CMO-2") because the CMO-2 contemplated Plaintiffs filing a single new amended complaint that contained all of the Plaintiffs' allegations in one document, not a complaint with numerous attached RICO Statements and other documents. To the extent that a response is deemed to be required, DIB denies the allegations in that statement.



133. DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**CLAIMS**

**COUNT ONE**

***TORTURE VICTIM PROTECTION ACT***

134. No response is required from DIB to the allegations in this paragraph because the Torture Victim Protection Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
135. No response is required from DIB to the allegations in this paragraph because the Torture Victim Protection Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
136. No response is required from DIB to the allegations in this paragraph because the Torture Victim Protection Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
137. No response is required from DIB to the allegations in this paragraph because the Torture Victim Protection Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause because the Torture Victim Protection Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent that a response is required, DIB denies that Plaintiffs are entitled to recover the relief requested against DIB. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT TWO**

***ALIEN TORT CLAIMS ACT***

138. No response is required from DIB to the allegations in this paragraph because the Alien Tort Claims Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
139. No response is required from DIB to the allegations in this paragraph because the Alien Tort Claims Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.



140. No response is required from DIB to the allegations in this paragraph because the Alien Tort Claims Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.

141. No response is required from DIB to the allegations in this paragraph because the Alien Tort Claims Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause because the Alien Tort Claims Act cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent that a response is required, DIB denies that Plaintiffs are entitled to recover the relief requested against DIB. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT THREE**  
***WRONGFUL DEATH***

142. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.

143. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.

144. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

145. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore those allegations are denied.

146. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

147. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.



DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT FOUR**  
***SURVIVAL***

148. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
149. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
150. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT FIVE**  
***NEGLIGENT AND/OR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS***

151. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
152. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
153. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
154. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or



information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

155. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT SIX**  
***CONSPIRACY***

156. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
157. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
158. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
159. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
160. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
161. No response is required from DIB to the allegations in this paragraph because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause because the Conspiracy cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent that a response is required, DIB denies that Plaintiffs are entitled to recover the relief requested against DIB. To the extent



the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT SEVEN**  
***AIDING & ABETTING***

- 162. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 163. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 164. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 165. No response is required from DIB to the allegations in this paragraph because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent that a response is required, DIB denies that Plaintiffs are entitled to recover the relief requested against DIB. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT EIGHT**  
***NEGLIGENCE***

- 166. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
- 167. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
- 168. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or



information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

169. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
170. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.

DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT NINE**  
***18 U.S.C. §2333 (ANTI-TERRORISM ACT)***

171. DIB hereby incorporates its responses to the previous allegations as if fully set forth herein.
172. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.
173. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
174. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
175. These allegations are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied.

DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in the WHEREFORE clause. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.



**COUNT TEN**

***18 U.S.C. §1962(a) - CIVIL RICO***

- 176. No response is required from DIB to the allegations in this paragraph because the Civil Rico cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 177. No response is required from DIB to the allegations in this paragraph because the Civil Rico cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 178. No response is required from DIB to the allegations in this paragraph because the Civil Rico cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 179. No response is required from DIB to the allegations in this paragraph because the Civil Rico cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.
- 180. No response is required from DIB to the allegations in this paragraph because the Civil Rico cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent that a response is required, DIB denies that Plaintiffs are entitled to recover the relief requested against DIB. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT ELEVEN**

***PUNITIVE DAMAGES***

- 181. No response is required from DIB to the allegations in this paragraph because the Punitive Damages cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
- 182. No response is required from DIB to the allegations in this paragraph because the Punitive Damages cause of action against DIB was dismissed by the Memorandum



Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

183. No response is required from DIB to the allegations in this paragraph because the Punitive Damages cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause because the Aiding and Abetting cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent that a response is required, DIB denies that Plaintiffs are entitled to recover the relief requested against DIB. To the extent the WHEREFORE clause relates to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**COUNT TWELVE**  
***PUNITIVE DAMAGES***  
***FOREIGN STATE AGENCIES AND INSTRUMENTALITIES***

184. No response is required from DIB to the allegations in this paragraph because Count Twelve is not asserted against DIB.
185. No response is required from DIB to the allegations in this paragraph because Count Twelve is not asserted against DIB.
186. No response is required from DIB to the allegations in this paragraph because Count Twelve is not asserted against DIB.
187. No response is required from DIB to the allegations in this paragraph because Count Twelve is not asserted against DIB.

No response is required from DIB to the allegations in Plaintiffs' WHEREFORE clause as this cause of action is not asserted against DIB.



**PRAYER FOR RELIEF**

188. DIB denies that Plaintiffs are entitled to recover from DIB any of the relief requested in their PRAYER FOR RELIEF. To the extent the PRAYER FOR RELIEF clause relates to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about this clause and therefore it is denied.

**VICTIMS LIST**

1. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
2. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
3. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.



**DIB'S ANSWER TO PLAINTIFFS' MORE DEFINITE STATEMENT AS TO**  
**DEFENDANT DUBAI ISLAMIC BANK**

1. The Statement speaks for itself, and therefore no response is required; to the extent that a response is required, DIB denies that it has engaged in any misconduct or that there is any basis for liability.
2. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
3. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
4. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB, DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
5. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
6. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
7. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the



allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.

8. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
9. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
10. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
11. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
12. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.



13. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
14. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
15. No response is required from DIB in response to the allegations in this paragraph because the RICO cause of action against DIB was dismissed by the Memorandum Decision and Order of the Court dated June 17, 2010. To the extent these allegations are deemed to require a response, DIB denies these allegations to the extent that they relate to DIB, and DIB is without knowledge or information sufficient to form a belief about the truth of the allegations to the extent these allegations relate to defendants other than DIB and therefore those allegations are denied.
16. DIB denies that it is jointly and severally liable for any damages sustained by any plaintiff. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore these allegations are denied.
17. This paragraph purports to characterize the contents of a document; that document speaks for itself and therefore no response is required. To the extent that a response is required, DIB admits that the complaint purports to set out causes of action against DIB, but DIB denies that those causes of action state any claim and denies the remaining allegations.
18. This paragraph purports to characterize the contents of a document; that document speaks for itself and therefore no response is required. To the extent that a response is required, DIB admits that the complaint purports to set out causes of action against DIB, but DIB denies that those causes of action state and claim and denies the remaining allegations.
19. DIB denies these allegations.
20. This paragraph contains no allegations and thus no response is required. To the extent that a response is required, DIB hereby incorporates its responses to all allegations, claims and counts contained in Plaintiffs' Complaint, as amended, as if fully set forth herein.
21. DIB admits that it is headquartered in Dubai, which is one of the United Arab Emirates. DIB denies that its chairman is Dr. Mohammad Khalfan Kharbash. DIB denies the remaining allegations.



22. To the extent that these allegations relate to DIB, DIB denies these allegations. To the extent these allegations relate to defendants other than DIB; DIB is without knowledge or information sufficient to form a belief about the truth of the allegations, and therefore those allegations are denied.
23. DIB denies these allegations.
24. This paragraph purports to characterize the contents of a document; that document speaks for itself and therefore no response is required. To the extent these allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.
25. DIB is without knowledge or information sufficient to form a belief about these allegations, and therefore those allegations are denied.
26. This paragraph purports to characterize the contents of a document; that document speaks for itself and therefore no response is required. To the extent these allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.
27. DIB denies Mustafa Ahmed Al-Hisawi a/k/a Sheikh Saeed, held accounts at Dubai Islamic Bank. DIB denies that it is affiliated with Standard Chartered Bank. The allegations that any transactions involving DIB were carried out in violation of international standards adopted to prevent money laundering are conclusions of law to which no response is required. To the extent these allegations are deemed to require a response, they are denied. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore they are denied.
28. DIB is without knowledge or information sufficient to form a belief about the truth of these allegations, and therefore the allegations are denied.
29. DIB denies that on September 27, 2001 the Central Bank of the United Arab Emirates announced that it had ordered the freezing of accounts and investments of twenty-six people or organizations at the Dubai Islamic Bank. DIB is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and therefore those allegations are denied.
30. DIB is without knowledge or information sufficient to form a belief about the truth of the allegations that on September 25, 2001, Luxembourg's commission for supervising financial institutions issued a regulatory alert naming DIB as having links with Osama bin Laden and terrorism, and therefore those allegations are denied. To the extent the remaining allegations purport to characterize the contents of a document, which speaks for itself, they require no response. To the extent these allegations are deemed to require a response, they are denied. DIB denies the remaining allegations.
31. DIB denies these allegations.



32. DIB denies these allegations.
33. This paragraph contains no allegations and thus no response is required. To the extent that a response is required, DIB denies these allegations to the extent that these allegations relate to DIB and DIB is without knowledge or information sufficient to form a belief about the truth of these allegations to the extent these allegations relate to defendants other than DIB, and therefore these allegations are denied.

Each and every allegation in Plaintiff's Complaint, Victim's List, and More Definite Statement As To Dubai Islamic Bank that has not been specifically admitted is hereby denied.

### **AFFIRMATIVE DEFENSES**

#### **First Affirmative Defense**

1. Plaintiffs fail to state a claim for which relief can be granted.

#### **Second Affirmative Defense**

2. This Court does not have personal jurisdiction over Plaintiffs' claims against DIB.

#### **Third Affirmative Defense**

3. This Court does not have subject matter jurisdiction over Plaintiffs' claims against DIB.

#### **Fourth Affirmative Defense**

4. There is no causal connection between any of DIB's activities and Plaintiffs' asserted injuries.

#### **Fifth Affirmative Defense**

5. No act or omission of any agent, servant, or employee of DIB proximately caused any harm or damages to Plaintiffs.

#### **Sixth Affirmative Defense**

6. Plaintiffs fail to adequately allege scienter.

#### **Seventh Affirmative Defense**

7. Plaintiffs' damages and injuries were caused by other individuals or entities who are, or are not, named as parties to this action.



**Eighth Affirmative Defense**

8. DIB is not liable for Plaintiffs' damages based on the doctrines of several liability and/or combined or comparative fault, see, e.g., N.Y. C.P.L.R. § 1601 et seq.

**Ninth Affirmative Defense**

9. This Court is not the proper venue for Plaintiffs' claims against DIB.

**Tenth Affirmative Defense**

10. Plaintiffs have waived their claims based on the doctrine disallowing double-recovery.

**Eleventh Affirmative Defense**

11. Plaintiffs have waived their claims based on the collateral source doctrine.

**Twelfth Affirmative Defense**

12. Plaintiffs have waived their claims based on the doctrine of equitable subrogation.

**Thirteenth Affirmative Defense**

13. Plaintiffs have waived their claims based on the doctrine of subrogation.

**Fourteenth Affirmative Defense**

14. Plaintiffs have waived their claims against DIB.

**Fifteenth Affirmative Defense**

15. Plaintiffs' claims have been waived to the extent that certain Plaintiffs are seeking recovery against DIB for the same or similar claims in other civil actions comprising the multi-district entitled *In re Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (RCC), pending in the United States District Court for the Southern District of New York.

**Sixteenth Affirmative Defense**

16. Plaintiffs' state-law claims are pre-empted by federal law.

**Seventeenth Affirmative Defense**

17. Plaintiffs' claims are barred by the Act of State doctrine.

**Eighteenth Affirmative Defense**

18. Plaintiffs' claims are barred based on principles of International Comity.



**Nineteenth Affirmative Defense**

19. Plaintiffs' claims are barred based on Sovereign Immunity.

**Twentieth Affirmative Defense**

20. Plaintiffs' claims are barred by Political Question doctrine.

**Twenty-first Affirmative Defense**

21. Plaintiffs' claims are barred based on principles of Immunity.

**Twenty-second Affirmative Defense**

22. Plaintiffs' claims are barred by the doctrine of laches.

**Twenty-third Affirmative Defense**

23. Plaintiffs' claims have been discharged in bankruptcy.

**Twenty-fourth Affirmative Defense**

24. Plaintiffs' claims are barred by the doctrine of election of remedies.

**Twenty-fifth Affirmative Defense**

25. Plaintiffs have released their claims against DIB.

**Twenty-sixth Affirmative Defense**

26. Plaintiffs have discharged their claims against DIB.

**Twenty-seventh Affirmative Defense**

27. Plaintiffs' claims are barred by the doctrine of compromise and settlement.

**Twenty-eighth Affirmative Defense**

28. Plaintiffs are precluded from asserting their claims by the doctrine of res judicata.

**Twenty-ninth Affirmative Defense**

29. Plaintiffs are precluded from asserting their claims by the doctrine of collateral estoppel.

**Thirtieth Affirmative Defense**

30. Plaintiffs lack standing to pursue their claims against DIB.



**Thirty-first Affirmative Defense**

31. Plaintiffs' claims are barred by the statute of limitations.

**Thirty-second Affirmative Defense**

32. Plaintiffs are estopped from receiving the relief requested against DIB.

**Thirty-third Affirmative Defense**

33. Plaintiffs' claims are invalid in light of workers' compensation laws, regulations, rules, and case law.

**Thirty-fourth Affirmative Defense**

34. Plaintiffs' claims are barred to the extent that they violate DIB's right to Due Process.

**Thirty-fifth Affirmative Defense**

35. Plaintiffs' claims for punitive damages against DIB are invalid because DIB's activities, as alleged by Plaintiffs, were not committed with intent, malice, willful and outrageous conduct aggravated by evil motive, or reckless indifference, and none of DIB's activities in any way were intended to, or did harm, the Plaintiffs in this action.

**Thirty-sixth Affirmative Defense**

36. In response to Plaintiffs' claims, DIB intends to invoke all other defenses, including affirmative defenses, that become apparent in the future (including through discovery), and reserve the right, in accordance with the Federal Rules of Civil Procedure and the Local Civil Rules of the United States District Court for the Southern District of New York, to assert such defenses at a later point in time.

DATED: September 7, 2010

Respectfully submitted,

/s/ Robert G. Houck

Robert G. Houck

Juan P. Morillo (admitted *pro hac vice*)

Steven T. Cottreau (admitted *pro hac vice*)

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